



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,501	06/14/2001	David M. Alpern	oracle01.013	7766

25247 7590 03/15/2004

GORDON E NELSON
PATENT ATTORNEY, PC
57 CENTRAL ST
PO BOX 782
ROWLEY, MA 01969

EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
----------	--------------

2171

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/881,501

Applicant(s)

ALPERN ET AL.

Examiner

Etienne P LeRoux

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 5-7, 10-12, 15, 16 and 19-22 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 6,073,168 issued to Mighdoll et al (hereafter Mighdoll).

Claims 5, 10, 15 and 20:

Mighdoll discloses a method employed in a distributed database system that includes a plurality of database systems for responding to a request received in a database system of the plurality, the method comprising the steps performed during execution of the request in the database system of:

- determining that the request is preferably executed at least in part in another database system of the plurality [*have a redirect address stored in database? step 902, Fig 9*];
- redirecting the execution of at least the part of the request to the other database system [*access different remote server using redirect address*].

Claim 6, 11, 19 and 21:

Mighdoll discloses wherein the request includes one or more specifiers referring to objects belonging to a plurality thereof in the distributed database system; and the step of determining whether the request is preferably executed in the other database system determines

Art Unit: 2171

that an object required for execution of the request is lacking in the database system [col 12, lines 59-67].

Claim 7, 12, 16 and 22:

Mighdoll discloses the steps of placing the request in a form required for execution in the database system; modifying the form when it has been determined that the request is preferably executed at least in part in another database system; and in the step of redirecting, the modified form is redirected [col 13, lines 3-14]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 13, 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mighdoll in view of US Pat No 5,751,581 issued to Tau et al (hereafter Tau).

Claim 8, 13, 17 and 23:

Mighdoll discloses the elements of claims 5 and 7.

Mighdoll fails to disclose wherein the request includes an SQL statement; the form required for execution is a cursor; and in the step of modifying the form, the cursor is marked for redirection.

Tau discloses wherein the request includes an SQL statement; the form required for execution is a cursor; and in the step of modifying the form, the cursor is marked for redirection [col 47, lines 25-35].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mighdoll to include wherein the request includes an SQL statement; the form required for execution is a cursor; and in the step of modifying the form, the cursor is marked for redirection as taught by Tau.

The ordinarily skilled artisan would have been motivated to modify Mighdoll per the above for the purpose of retrieving multiple rows of a table [col 47, lines 25-35].

Claims 9,14, 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mighdoll in view of Pub No US 2002/0091853 issued to Moore et al (hereafter Moore).

Claim 9, 14, 18 and 24:

Mighdoll discloses the elements of claims 5 and 7 as noted above.

Mighdoll fails to disclose wherein the request includes a call to a procedure object; and in the step of modifying the form, the call is rewritten in the form required for execution as a remote procedure call directed to the other database system.

Moore discloses wherein the request includes a call to a procedure object; and in the step of modifying the form, the call is rewritten in the form required for execution as a remote procedure call directed to the other database system [paragraphs 45 and 46].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mighdoll to include wherein the request includes a call to a procedure

Art Unit: 2171

object; and in the step of modifying the form, the call is rewritten in the form required for execution as a remote procedure call directed to the other database system as taught by Moore.

The ordinarily skilled artisan would have been motivated to modify Mighdoll per the above for the purpose of redirecting a request [paragraph 45].

Response to Arguments

Applicant's arguments filed 12/12/2003 have been fully considered but they are not persuasive.

Applicant's arguments with respect to claims 5-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2171

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620.

The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Etienne LeRoux

3/8/2004



SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100